REMARKS

Applicants respectfully request reconsideration of the present application in view of the following remarks. Claims 1-15 are currently pending in this application, of which claims 1 and 8 are independent. In the Final Office Action dated January 24, 2008, the Examiner rejected claims 1-3, 5, 6, 8-10, 12, and 13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,157,719 ("*Wasilewski*") in view of U.S. Patent No. 6,351,536 ("*Sasaki*") and in further view of U.S. Patent No. 5,933,501 ("*Leppek*"); rejected claims 7 and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Sasaki* and *Leppek* and in further view of U.S. Patent No. 6,055,314 ("*Spies*"); rejected claims 4 and 11 under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Sasaki* and *Leppek* and in further view of U.S. Patent No. 5,623,637 ("*Jones*"); and rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over *Wasilewski* in view of *Sasaki* and *Leppek* and in further view of U.S. Patent No. 6,141,339 ("*Kaplan*").

In response, Applicants have amended independent claims 1 and 8. No new subject matter has been added. Support for the amendments may be found, for example, in the previously presented claims 1 and 8 and in the specification, for example, at page 2, paragraph 2, page 6, last paragraph to page 7, paragraph 1, page 7, last paragraph to page 8, paragraph 1, page 13, paragraphs 3 and 4, and in FIG. 3 and its corresponding descriptions. Applicants submit that amended independent claims 1 and 8 and their dependent claims 2-7 and 9-15 are not unpatentable under 35 U.S.C. § 103(a).

More specifically, in making the rejection of claim 1, the Examiner conceded that *Wasilewski* does not show or suggest "incorporating into the digital data streams respective enabling algorithm of at least two of the plurality of providers" or selectively loading said enabling algorithm of at least two of the plurality of providers from said digital data streams "into the user unit of at least one of the selective users based on the respectively identifying codes for enabling the at least one of the selective users to make user of said respective determined services." Final Office Action, page 3. Rather, the Examiner contended that "it would have been obvious to a person of ordinary skill in the art to transmit the enabling algorithm as in the system of Sasaki in the system of Wasilewski." However, the Examiner conceded that, even in combining *Wasilewski* and *Sasaki*, the combination still fails to show or suggest that "the enabling algorithm is selectively loaded." Office Action, page 4. The Examiner, instead, contended that *Leppek* shows the claimed "selective loading" feature and may be combined with *Wasilewski* and *Sasaki* to arrived at independent claim 1.

Contrary to the Examiner's contention, Applicants submit that *Leppek* fails to cure the deficiencies of *Wasilewski* and *Sasaki*. In particular, the relevant portion of amended independent claim 1 recites "incorporating into said digital data streams respective identifying codes of selective users to be enabled to receive said determined services" and "selectively loading said enabling algorithm of at least two of the plurality of providers from said digital data streams into the user unit of at least one of the selective users based on the respective identifying codes so that said enabling algorithm of at least two of the plurality of providers are concurrently available on the

user unit for enabling the at least one of the selective users to make use of said

respective determined services of said at least two of the plurality of providers."

Leppek, in the portion cited by the Examiner, merely mentions "a database 100

[that contains] a plurality of respectively different data encryption routine . . . [which]

need not be any particular type of encryption algorithm and may be conventional

encryption operators [110-i], such as, PGP, DES, etc." Col. 4, lines 10-16. *Leppek*

explains that "[e]ach encryption operator 110-i has an associated access address code

120-i, that is used by a memory access controller of a supervisory encryption assembly

manager 130 to call up or retrieve a respective encryption operator 120-i in the course

of generating an encryption operator sequence 140." Col. 4, lines 18-23.

The Examiner contends that the above portion of *Leppek* teaches that "the

enabling algorithm is selectively loaded wherein the access code indicates the selected

algorithm." Final Office Action, page 4. Contrary to the Examiner's contention,

Applicants submit that the "access address code 120-i" of *Leppek* merely indicates a

"respective encryption operator 120-i such as, PGP, DES, etc." stored in a

database and does not identify either "selective users to be enabled to receive said

determined services" or "enabling algorithm of at least two of the plurality of providers"

to be loaded, as recited in amended claim 1. Moreover, *Leppek*, in describing the

encryption operator 120-i as being retrieved from database 100, teaches against

"selectively loading said enabling algorithm of at least two of the plurality of providers

from the digital data streams," as recited in amended claim 1. Furthermore, *Leppek*

retrieves its encryption operators 120-i for the purpose of generating "an encryption

operator sequence 140." It, therefore, additionally fails to show or suggest "selectively

loading said enabling algorithm of at least two of the plurality of providers . . . so that

said enabling algorithm of at least two of the plurality of providers are concurrently

available on the user unit for enabling the at least one of the selective users to make

use of said respective determined services of said at least two of the plurality of

providers," as recited in amended claim 1.

In view of the above, *Leppek* fails to show or suggest at least the "selective

loading" feature of amended claim 1. At least because the Examiner conceded that this

feature is also not shown by either *Wasilewski* or *Sasaki*, the combination of

Wasilewski, *Sasaki*, and *Leppek* cannot render obvious every feature of amended

claim 1 under 35 U.S.C. § 103(a). Applicants submit that independent claim 8 has been

similarly amended to include corresponding limitations to those discussed above in

connection with amended claim 1, and is, therefore, also not obvious over the

combination of *Wasilewski*, *Sasaki*, and *Leppek*. Dependent claims 2-7 and 9-15

depend from independent claims 1 and 8, respectively, and are, therefore, additionally

allowable at least because of their dependency on an allowable base claim.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be

entered by the Examiner, placing claims 1-15 in condition for allowance. Applicants

submit that the proposed amendments do not raise new issues or necessitate the

undertaking of any additional search of the art by the Examiner, since all of the

elements and their relationships claimed were either earlier claimed or inherent in the

claims as examined. Therefore, this Amendment should allow for immediate action by

the Examiner.

Furthermore, Applicants respectfully point out that the final action by the

Examiner presented some new arguments as to the application of the art against

Applicants' invention. It is respectfully submitted that the entering of the Amendment

would allow the Applicants to reply to the final rejections and place the application in

condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the

application in better form for appeal, should the Examiner dispute the patentability of the

pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention,

as amended, is neither anticipated nor rendered obvious in view of the prior art

references cited against this application. Applicants therefore request the entry of this

Amendment, the Examiner's reconsideration and reexamination of the application, and

the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: April 22, 2008   By:_____

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